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**RESPONSE UNDER 37 C.F.R. 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 2126**

*AF IAW*  
*2126*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Kubala et al. Confirmation No.: 4085  
Serial No.: 09/408,470 Group Art Unit: 2126  
Filed: 09/28/99 Examiner: George L. Opie  
Title: DYNAMICALLY REDISTRIBUTING SHAREABLE RESOURCES OF A  
COMPUTING ENVIRONMENT TO MANAGE THE WORKLOAD OF THAT  
ENVIRONMENT

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with  
the U.S. Postal Service as first class mail in an envelope addressed  
to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA  
22313-1450, on December 15, 2004.

Jill M. Breedlove  
Attorney for Applicants  
Registration No.: 32,684

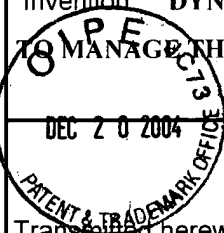
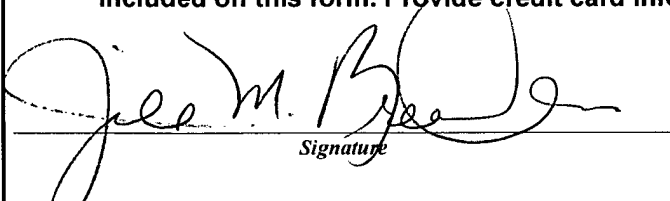
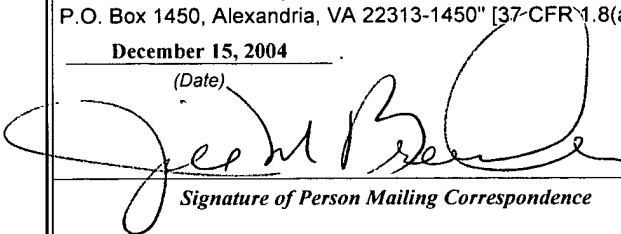
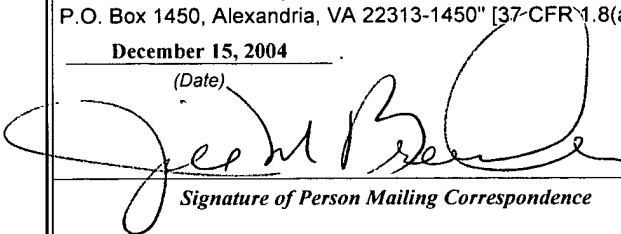
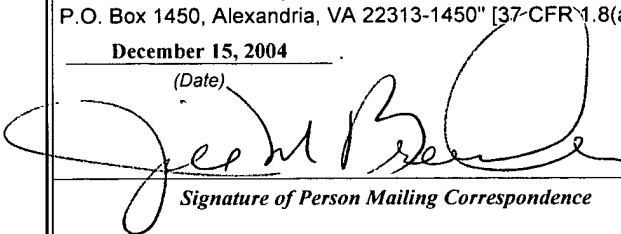
Date of Signature: December 15, 2004.

To: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Response To Final Office Action**

Dear Sir:

This Response to Office Action is being submitted in reply to the Final Office Action  
mailed October 18, 2004 for the above-referenced patent application.

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>				Docket No. <b>PO9-99-159</b>									
Applicant(s): <b>Kubala et al.</b>													
Application No. <b>09/408,470</b>	Filing Date <b>09/28/99</b>	Examiner <b>George L. Opie</b>	Customer No. <b>23405</b>	Group Art Unit <b>2126</b>	Confirmation No. <b>4085</b>								
Invention: <b>DYNAMICALLY REDISTRIBUTING SHAREABLE RESOURCES OF A COMPUTING ENVIRONMENT TO MANAGE THE WORKLOAD OF THAT ENVIRONMENT</b>													
 <b>COMMISSIONER FOR PATENTS:</b>													
Transmitted herewith is an amendment in the above-identified application.													
The fee has been calculated and is transmitted as shown below.													
<b>CLAIMS AS AMENDED</b>													
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE								
TOTAL CLAIMS	65 -	65 =	0 x	\$18.00	\$0.00								
INDEP. CLAIMS	8 -	8 =	0 x	\$86.00	\$0.00								
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00								
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>								
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <b>09-0463 (IBM)</b> <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038.													
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>													
 _____ <i>Signature</i>			Dated: <b>December 15, 2004</b>										
<b>Jill M. Breedlove, Esq.</b> <b>Reg. No. 32,684</b> <b>Heslin Rothenberg Farley &amp; Mesiti P.C.</b> <b>5 Columbia Circle</b> <b>Albany, NY 12203</b> <b>Telephone (518) 452-5600</b> <b>Facsimile (518) 452-5579</b>			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37-CFR 1.8(a)] on</td> </tr> <tr> <td style="text-align: center;">December 15, 2004</td> <td style="text-align: center;">(Date)</td> </tr> <tr> <td colspan="2" style="text-align: center;">             _____  <i>Signature of Person Mailing Correspondence</i> </td> </tr> <tr> <td colspan="2" style="text-align: center;"> <b>Jill M. Breedlove</b>            _____  <i>Typed or Printed Name of Person Mailing Correspondence</i> </td> </tr> </table>			I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37-CFR 1.8(a)] on		December 15, 2004	(Date)	 _____ <i>Signature of Person Mailing Correspondence</i>		<b>Jill M. Breedlove</b> _____ <i>Typed or Printed Name of Person Mailing Correspondence</i>	
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<b>Jill M. Breedlove</b> _____ <i>Typed or Printed Name of Person Mailing Correspondence</i>													
CC:													